

October 30, 2017

**ERIE COUNTY COUNCIL – Regular Meeting**

Chairman Breneman called to order a Regular Meeting of the Erie County Council at 7:00 p.m. at the Erie County Council Chambers, 140 West 6<sup>th</sup> Street, Room 117, Erie, PA. Following the Pledge of Allegiance, Mrs. Loll read the following prayer/invocation:

“Let us pray. Within our busy lives we spend time with each other compiling the future for our county. We want to do the right thing and not just give the appearance that we are. We ask for the guidance to know what we should do and be steadfast in our duties to the satisfaction of most. We won’t be the ones to turn around all lives but let us do it to make it the best we can. Let us work together as one. We ask this in the name of our Lord, Jesus Christ. Amen.”.

**Roll Call**

The County Clerk called the roll:

- Members Present:
- Mrs. Fatica  
Dr. Foust  
Mr. Horton  
Mr. Leone  
Mrs. Loll  
Mr. Breneman
- Members Absent:
- Mr. DiMattio
- Also Present:
- Douglas R. Smith, County Clerk  
Sue Ellen Pasquale, Manager of Accounting  
James Sparber, Director of Finance  
Joseph Maloney, CPA  
Thomas Talarico, Solicitor

**Hearing of The Public**      None.

**Approval of Minutes**

Dr. Foust moved to amend the agenda to include the minutes from the CDBG Public Hearing held on October 17, 2017. This was seconded by Mr. Horton and carried in a unanimous roll call vote. Dr. Foust then moved to approve the minutes from the October 17, 2017, Regular meeting, and the CDBG Public Hearing of October 17, 2017. This was seconded by Mr. Horton and carried in a unanimous roll call vote.

**Reports of County Officials**

Mr. Horton stated that the Finance Committee met on Thursday, 26, 2017, and agreed to place Ordinances 94-111, 2017, along with Resolutions 52 and 53, 2017, four Board appointments, and 3 sales of parcels, on the agenda.

There was no Personnel Committee meeting.

October 30, 2017

Mr. Leone read the following statement:

“In the past and now, I have been critical at what’s happening at ECGRA. My first concerns were with the amount of money paid to the CEO of this organization. When we as Council members were confronted by the previous Administration, we were asked to give more money to the Director of Administration based on the fact that he was covered by insurance from his wife’s employment. The Council, in its wisdom, indicated that we were not going to give additional funds and as one member, I too felt it was inappropriate to give him funds for insurance.

I spoke to the Director of Administration and he understood and wasn’t given any additional stipend. Now comes the ECGRA and the fine judgement of this exceptional Board and they give an additional \$12,700 to their CEO. His salary as of 2015-2016 was \$101,563.25. At present, I need to find out what he makes for 2016 and 2017. Without the additional stipend, the CEO makes more than the Director of Administration or the County Executive. At one time, and I’m not certain it didn’t happen again, they (the fine Board) gave over \$8,000 as a bonus to the CEO.

This organization, when we reviewed their administrative costs, it was in the \$600,000 plus range. We found that in the infinite wisdom of the present Board, it included funding for a doctoral degree at the University of Pittsburgh for the CEO of ECGRA. Now I realize that passing out checks requires some kind of education, but a doctoral degree? Wow. I should have learned how to pass out checks. This isn’t bad, at least by members of their Board.

As a side note, this CEO has 3 assistants and from what I understand one of them is gone now but each has a credit card. Wow, the checks must be pretty heavy and he needs help to carry them. I don’t want to belabor the issue; however, one of the latest fiascos that I feel has transpired in the infinite wisdom of the Board in sending their CEO to the Pennsylvania Society Dinner in New York. WOW! Are they for real?? Do Council members feel this was necessary for the enhancement of ECGRA?

I found much of the Society dinner fiasco from Randy Barnes. I give him credit for ferreting this out. At that time, I didn’t have time and I want to thank Randy for doing just that. I have asked my representative to this Board if he voted for this or knew about it. He indicated he didn’t know about it and it never came to a vote on the fine ECGRA Board. I also received an answer from another Board member that indicated he didn’t know anything about the issue involving the PA Society membership. It is time this Council took some kind of action to stop this ridiculous expenditure of County monies gaming funds. Is this what Council had in mind for this Authority?

My representative indicated that the Board never votes on these issues and it’s already cut and dry before he knows about it.

We as Council members have constantly refused to give (as one example) the Director of Administration a raise commensurate to his position. Yet we, as Council members, allow these ridiculous issues to continue at ECGRA. It is a real joke. As one Council member, I will make every effort to attend every meeting of this Board.

Any issues regarding any business must include all members of the ECGRA Board for a vote. I might further relate to not only the Council, but the County of Erie citizenry, about what I always felt was the discriminatory action taken by the State in designating Erie County as the only county they have decided to take funds from. No other county has been designated to give funds to an Authority – in this case, ECGRA.”.

Dr. Foust stated that his comments will contrast with Mr. Leone’s, who I have great respect for, but on the issues regarding ECGRA, they have disagreed often enough. He emailed information earlier in the day to his colleagues and the Administration. For close to about a year, he has been working on some ideas and a plan and he has been going around downtown Erie, where many of the store fronts from 15<sup>th</sup> Street down, the second floors are empty mainly because there isn’t

October 30, 2017

elevator service to be able to occupy those floors. The idea was to come up with some sort of plan to be able to help fund initiatives to increase the redevelopment of those areas as well as the different villages throughout Erie County, such as Albion, Wesleyville, Waterford, Union City – where they have been hit by trying economic times for some 30 years. Factor in the issues of blight have come to the forefront more and more. Because of the recent changes in the Gaming Law, they have satisfied one of the biggest stumbling blocks in coming up with a plan and that is trying to find resources to fund those different initiatives. There is now \$1 million per year available to fund those opportunities. Dr. Foust stated it is described in the Gaming Law as a “land bank”, but he felt that the County should try to be more universal and more encompassing in language and thoughts than just a land bank. He felt in the public’s mind, and too often in the public official’s mind, a land bank means the structure will be leveled, take all the liens off the property, and it will remain vacant forever. Dr. Foust suggested that more than that needs to be done. The County should create a fund that helps take care of blight before it really becomes blight, as well as the back end of things if there is a house or structure that is so dangerous as it stands that it should come down.

Dr. Foust has proposed that Council begin looking at funding with that money, or designating an entity, which he proposed to be ECGRA, a Neighborhood Infrastructure Revitalization Fund. This type of fund has been outlined in many reports, including Erie Refocused, Emerge 2040, Erie Cultural Heritage Plan, the Bosworth Report (a good 13-15 years old), the Sisters of St. Joseph’s Neighborhood Network, as well as some of the Millcreek Comprehensive Plans. The goals of this fund are going to be neighborhood development, where multiple plans will call for the prevention and mitigation of blight in both commercial and residential properties; the historic preservation of structures. Dr. Foust feels the architecture in Erie County is unique, not just in the City of Erie, but in the smaller villages and neighborhoods. Main street development to help the smaller communities that have struggled with the change in commerce in Erie County in the last 30 years – this fund can be used for streetscapes, façade renovations, etc., to help bring those buildings back to life, as well as park, trail, and greenspace and recreational field preservation and redevelopment.

Dr. Foust stated that when he ran for Council initially, one of the primary components of his campaign was quality of life. Parks are a big part of that. People want to live near parks, they want to live near open spaces that are safe. They are not going to build and they are not going to start a business near a park that is unkempt or unsafe. This fund can go a long way to bringing those back as well.

Those that could apply for participation in this program would be non-profits, for profit entities, municipal organizations, or municipal organizations on behalf of other organizations. We could have matching opportunities up to 20% for the applicant. Use of funds would be redevelopment, rehabilitation, construction, demolition, streetscape, façade restoration, property acquisition, and even equipment purchases.

Regarding the blight removal and rehab, Dr. Foust commented there was a program in Jamestown that allowed neighborhoods to cluster together and be available for matching funds that were used that brought in local hardware stores that offered discounts to further perpetuate the program.

Possible sources for the funds would be the \$1 million from the State gaming funds discussed earlier, utilize the \$15 deed fee for blight, ECGRA could provide additional gaming funds. Dr. Foust has talked to ECGRA about hiring an employee to supervise the program so it wouldn’t have to be in the County Planning Department and a county employee, where a salary, health benefits, and retirement benefits would have to be paid. ECGRA would be the administrator of the program and would have to create a new board for this particular program, file Articles of Incorporation, and create a firewall between the normal ECGRA board and this new board for the Neighborhood Infrastructure Revitalization Fund. They would have to have a separate audit so it would be above board and accountable. ECGRA already has the experience and the expertise in funding these types of initiatives to date. Since 2013, there has been nearly \$1 million that they have allocated for blight removal and prevention in places like Union City, Corry, North East, city neighborhoods like the west Bayfront, Eastside Task Force, Little Italy, and the Academy area. They have the opportunity to provide additional matching funds where the County might not have the availability

October 30, 2017

to do that. By law, ECGRA is the local entity to administer the local gaming share and Dr. Foust feels that it makes a lot of sense to have them administer this program as well for accountability purposes. Dr. Foust agrees with everyone on Council that they need to have, with ECGRA and the things that have come to light, ECGRA has addressed the issues as best they can. Council has direct oversight over this Authority. Council is the one who appoints and approves the Board members. The State's call for enhanced transparency with having to expose themselves to an auditor general audit is a good thing. Dr. Foust does not feel they will find anything and he feels ECGRA operates in a transparent manner. That is the only way that Council gets the information they have been talking about and criticizing ECGRA about. County Council and the County Executive serve as liaisons to ECGRA. He stated that Council is welcome to attend meetings and provide whatever point of view regarding what they are doing.

Dr. Foust stated he will have a resolution drafted for the first Finance meeting after the budget. There is plenty to do until the budget is passed, but he felt that some sort of entity should be created to capture that money that the State has ordered the County to set aside for these initiatives. This can be done quickly, ECGRA can serve in that role, they can file the Articles of Incorporation and have that finalized at the State level within just a month or so. He stated to allay people's fears of whether ECGRA is doing the right thing or not, Council should consider wanting to do it on a pilot basis for 18 months and re-up after 18 months. If they are doing a good job, Council could extend it and if not, Council could come up with some idea that would be better. Because the deed fee may be used in this particular program, (Dr. Foust is not saying it has to be), but it is direct County money that Council is responsible for, Dr. Foust felt it is fair to offer the County Executive two additional appointments to the Neighborhood Infrastructure and Revitalization Fund board to have more oversight of this particular program. Dr. Foust offered this proposal as a starting point for discussion. The County is fortunate enough in a lot of different ways to have the vehicles to put this program into place quickly and to get the money on the street in all districts to help fight a lot of issues to bring Erie County up to a higher level regarding structure and open spaces, etc.

#### **OLD BUSINESS**

None.

#### **NEW BUSINESS**

##### **Budget Ordinances**

Mr. Smith gave a first reading of the following Budget ordinances:

Ordinance 94, 2017, "2018 Debt Service Fund Budget"  
Ordinance 95, 2017, "2018 Employee Fringe Benefit Fund Budget"  
Ordinance 96, 2017, "2018 HealthChoices Fund Budget"  
Ordinance 97, 2017, "2018 MH/ID Fund Budget"  
Ordinance 98, 2017, "2018 Drug & Alcohol Fund Budget"  
Ordinance 99, 2017, "2018 Children & Youth Fund Budget"  
Ordinance 100, 2017, "2018 Domestic Relations Fund Budget"  
Ordinance 101, 2017, "2018 Planning Fund Budget"  
Ordinance 102, 2017, "2018 Gaming Fund Budget"  
Ordinance 103, 2017, "2018 Library Fund Budget"  
Ordinance 104, 2017, "2018 Public Safety Fund Budget"  
Ordinance 105, 2017, "2018 Gaming Fund Budget"  
Ordinance 106, 2017, "2018 Liquid Fuels Fund Budget"  
Ordinance 107, 2017, "2018 Pleasant Ridge Manor Fund Budget"  
Ordinance 108, 2017, "2018 PRM Depreciation Reserve Fund Budget"  
Ordinance 109, 2017, "2018 Erie County Care Management Budget"  
Ordinance 110, 2017, "2018 General Fund Budget"  
Ordinance 111, 2017, "2018 Real Estate Tax Levy"

October 30, 2017

**Res. 52, 2017 –  
Appr. Of 1<sup>st</sup> Amend.  
Of M’Creek PILOT**

Mr. Smith gave a reading of Resolution Number 52, 2017, “Approval of First Amendment to Payment in Lieu of Taxes (PILOT) Agreement Between the County of Erie, the Township of Millcreek, the Millcreek Township School District, the Erie County Board of Assessment Appeals, and Asbury Atlantic, Inc., for Parcels #33-187-584.00-001.00 and #33-187-584.0-004.01”. This was moved by Mr. Horton, seconded by Mr. Leone, and carried in a unanimous roll call vote.

**Res. 53, 2017 – Appr.  
Amends. To H’Creek  
Comp. Real Est. Tx  
Abatement Ord.**

Mr. Smith gave a reading of Resolution Number 53, 2017, “Approving Amendments to Harborcreek Township and Harbor Creek School District Comprehensive Real Estate Tax Abatement Ordinance”. This was moved by Mr. Horton, seconded by Dr. Foust, and carried in a unanimous roll call vote.

**BOARD/AUTHORITY  
APPOINTMENTS**

Dr. Foust moved to approve the following Board/Authority appointments:

- Reappointment of Shivi Gupta to the Erie County Care Management Board
- Reappointment of Richard Wagner to the Erie County Care Management Board
- Appointment of Devi Subedi to the Erie County Library Board
- Appointment of Dr. Stacie Wolbert to the Erie Metropolitan Transit Authority

This was seconded by Mr. Leone and carried in a unanimous roll call vote.

**SALE OF PARCELS**

Dr. Foust moved to approve the Sale of Parcels from Repository for Unsold Properties at the following index numbers:

- #18-050-037.0-119.00
- #21-035-016.0-107.00
- #31-013-047.3-003.73
- #42-007-017.0-004.00

This was seconded by Mr. Leone and carried in a unanimous roll call vote.

The next regular County Council meeting will be held at the Erie County Courthouse on Tuesday, November 14, 2017, at 5:00 p.m.

There being no further business, the meeting then adjourned at 7:25 p.m.

Deneé M. Breter, Council Secretary

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